

Amendment No. 1 to HB0830

Hulsey

Signature of Sponsor

AMEND Senate Bill No. 932

House Bill No. 830*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 40-11-115, is amended by adding the following as a new subsection:

(d) Notwithstanding subsection (a), a person charged with any of the following offenses shall not be released on their own recognizance without the approval of a general sessions judge, criminal court judge, or circuit court judge having jurisdiction over the current charges:

(1) A Class A felony;

(2) A Class B felony;

(3) Aggravated assault, as defined in § 39-13-102;

(4) Aggravated assault against a first responder, as defined in § 39-13-116; or

(5) Domestic assault, as defined in § 39-13-111, if the violation is a felony offense.

SECTION 2. Tennessee Code Annotated, Section 40-11-116, is amended by adding the following as a new subsection:

(c) A person charged with any of the following offenses shall not be released pursuant to subdivision (b)(1) without the approval of a general sessions judge, criminal court judge, or circuit court judge having jurisdiction over the current charges:

- (1) A Class A felony;
- (2) A Class B felony;
- (3) Aggravated assault, as defined in § 39-13-102;
- (4) Aggravated assault against a first responder, as defined in § 39-13-116; or
- (5) Domestic assault, as defined in § 39-13-111, if the violation is a felony offense.

SECTION 3. Tennessee Code Annotated, Section 40-11-148, is amended by deleting subsection (a) and substituting:

(a) If a defendant has been released pursuant to § 40-11-115 or § 40-11-116, or has been admitted to and released on bail for a criminal offense, whether prior to or during trial or pending appeal, and the defendant is charged with the commission of one (1) or more bailable offenses while released, then the defendant shall only be released pursuant to § 40-11-118 or § 40-11-122, and the magistrate or judge shall set the defendant's bail on each new offense in an amount not less than twice that which is customarily set for the offense charged.

SECTION 4. This act takes effect July 1, 2023, the public welfare requiring it.